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FILED
DISTRICT COURT OF GUAM

AUG 25 2005

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

NOREEN J. NAPUTI,
Plaintiff,

vs.

DEPARTMENT OF THE NAVY,
UNITED STATES OF AMERICA;
JOHN DOE INSURANCE CARRIER,
TO BE NAMED AFTER DISCOVERY;
and DOES 1-10, INCLUSIVE,
Defendants.

CIVIL CASE NO. 05-00011

My
~~PROPOSED~~ SCHEDULING
ORDER AND DISCOVERY PLAN

Pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure, and Local Rule 16.1 for the District Court of Guam, the parties hereby submit the following Scheduling Order:

1. The nature of the case is as follows: **Federal Tort Claim for Personal Injuries.**
2. The posture of the case is as follows:
 - a. The following motions are on file: **None at the present time.**
 - b. The following motions have been resolved: **None at the present time.**

1 c. The following discovery has been initiated: **None at the present time.**

2
3 3. All motions to add parties and claims shall be filed **on or before: Wednesday,**
4 **November 16, 2005.**

5
6 4. All motions to amend pleadings shall be filed **on or before: Wednesday,**
7 **November 16, 2005.**

8
9 5. Status of Discovery:

10 The times for initial disclosures shall be made **on or before: Monday, October**
11 **17, 2005.**

12
13 a) The following is a description and schedule of all pretrial discovery each
14 party intends to initiate prior to the close of discovery:

15
16 b) **Initial Disclosures.** Initial Disclosures pursuant to Rule 26(a)(1) of the Federal
17 Rule of Civil Procedure shall be provided **on or before: Monday, October 17, 2005.**

18
19 c) **Depositions.** The depositions of lay witnesses can commence at once and shall
20 be taken as needed. The parties shall cooperate in good faith in connection with the
21 scheduling of depositions.

22
23 d) **Written Discovery.** Unless additional discovery is ordered by the Court, the
24 parties may serve two sets of Interrogatories not to exceed 25 interrogatories, two sets of
25 Requests for Production not to exceed 25 requests and one set of Requests for Admission
26 not to exceed 25 requests. Unless a shorter time is agreed to, all written discovery shall
27 be served by a date sufficient to afford the responding party the full response time
28 permitted by the Rules prior to the discovery cutoff date as set forth in the Scheduling

1 Order.

2
3 e) **Expert Discovery.**

4 1) The disclosures of expert testimony required under Federal Rules of
5 Civil Procedure 26(a)(2) shall be **made not later than Friday, March**
6 **10, 2006.**

7
8 2) Any designation of rebuttal expert testimony under Rule 26(a)(2) shall
9 be made **not later than Monday, April 14, 2006.**

10
11 3) The depositions of experts may be scheduled at any time at least 20 days
12 subsequent to the submission of rebuttal reports and the depositions of
13 said experts shall be completed **not later than Friday, June 16, 2006.**

14
15 6. The parties shall appear before the District Court on ~~Friday~~ ^{Thursday}, ~~August 25, 2005,~~
16 **at 9:30 a.m.** for the Scheduling Conference.

17
18 7. The discovery cut-off date (defined as the last day to file responses to
19 discovery) is: **Friday, May 5, 2006.**

20
21 8. The anticipated discovery motions are:

22 All Discovery motions shall be filed **on or before: Friday, May 15, 2006.**

23
24 9. All anticipated dispositive motions are:

25 All dispositive motions shall be filed **on or before: Friday, June 30, 2006.**

26
27 10. The prospects for settlement are: **Possible.**

1 11. The Preliminary Pretrial Conference shall be held on the ~~Tuesday, August 15,~~ ^{my September 5}
2 ~~2006 at 4:15 p.m.~~ (No later than twenty-one (21) days prior to trial date).
3 10:30 am

4 12. The parties' pretrial materials, discovery material, witness lists, designations
5 and exhibits lists shall be filed on or before ~~Thursday, August 24, 2006.~~ (no later than
6 14 days prior to Trial). ^{my Tuesday, September 12, 2006}

7
8 13. The Proposed Pretrial Order shall be filed on or before the ~~Tuesday, August~~ ^{my Tues., Sept. 12, 2006}
9 ~~29, 2006~~ (No later than fourteen (14) days prior to trial).

10
11 14. The Final Pretrial Conference shall be held on the ~~Tuesday, September 12,~~ ^{my 19}
12 ~~2006, at 4:15 p.m.~~ (Seven (7) days prior to trial).
13 10:30 am ^{my}

14 15. The trial shall be held on the **Tuesday, 26th day of September, 2006 at 9:30**
15 **a.m.** (In no event shall the trial be later than 18 months after the complaint is filed, unless
16 the Court otherwise allows).

17
18 16. The trial is not a jury trial.

19
20 17. It is anticipated that it will take 2 days to try this case.

21
22 18. The names of counsels on this case are:

23 Mikel W. Schwab - Assistant U.S. Attorney
24 Defendant for the United States

25 Mark Williams - Attorney for Plaintiff

26 19. The parties do wish to submit the case to a settlement conference.

27
28 20. The parties present the following suggestions for shortening trial: **None.**

21. The following issues will also affect the status or management of the case:

None.

Dated this 25th day of August, 2005.

RECEIVED
AUG 24 2005

DISTRICT COURT OF GUAM
HAGATNA, GUAM



JOAQUIN V.E. MANIBUSAN, JR.
MAGISTRATE JUDGE

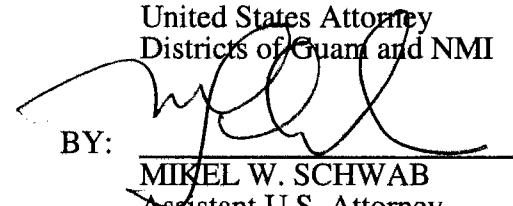
U.S. DISTRICT COURT OF GUAM
~~Judge, District Court of Guam~~

APPROVED AS TO FORM AND CONTENT:

For the United States of America:

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Districts of Guam and NMI

BY:


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For the Plaintiff:


MARK WILLIAMS, Esq..
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